

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CARRIEANN KRACH,

Plaintiff,

3:13-CV-1089
(GTS/CFH)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

LACHMAN & GORTON

PETER A. GORTON, ESQ.

Counsel for Plaintiff

P.O. Box 89

1500 East Main Street

Endicott, NY 13761

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL—REGION II

ELIZABETH D. ROTHSTEIN, ESQ.

Counsel for Defendant

26 Federal Plaza, Room 3904

New York, NY 10278

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

The above-captioned action comes to this Court following a Report-Recommendation by United States Magistrate Judge Christian F. Hummel, filed on August 26, 2014, recommending that (1) Defendant's motion for judgment on the pleadings be denied, (2) Plaintiff's motion for judgment on the pleadings be granted, (3) Defendant's decision denying disability benefits be vacated, and (4) the case be remanded to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. No. 14.) Objections to the Report-Recommendation have not been filed and the time in which to do so has expired. (*See generally* Docket Sheet.) After

carefully reviewing all of the papers herein, including Magistrate Judge Hummel's thorough Report-Recommendation, the Court can find no clear error in the Report-Recommendation. As a result, the Report-Recommendation is accepted and adopted in its entirety; and the case is remanded to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

ACCORDINGLY, it is

ORDERED that Magistrate Judge Hummel's Report-Recommendation (Dkt. No. 14) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

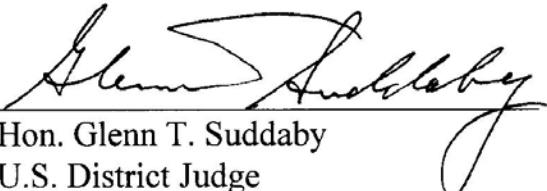
ORDERED the Defendant's motion for judgment on the pleadings (Dkt. No. 13) is **DENIED**; and it is further

ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 12) is **GRANTED**; and it is further

ORDERED that Defendant's decision denying disability benefits is **VACATED**; and it is further

ORDERED that this matter is **REMANDED** to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Dated: October 15, 2014
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge